

December 6, 2004
Regular Meeting

Minutes

Members present

Lloyd Davis- Chairman
Brent Hunter- Vice- Chairman
Roger Evans- Commissioner
Johnny Myers- Commissioner
D.C. Swaim- Commissioner

Others Present

Cecil E. Wood- County Manager
James Graham- County Attorney
Melinda Vestal- Clerk to the Board

Chairman Davis called the meeting to order and had the invocation. Chairman Davis welcomed the history classes from Starmount and Forbush High Schools. Chairman Davis recognized Senator Andrew Brock. The Board had the pledge of allegiance.

Old Business

Minutes

***Commissioner Swaim made the motion to approve the minutes. Commissioner Hunter seconded. The Board voted 5-0.**

Sheriff

***Chairman Davis made the motion to accept the bid from Carl Rose & Son to pave the parking lot at the Sheriff's Office with the understanding that the bid includes grading to the basin and replacing drain line, if needed. Commissioner Swaim seconded.**

Commissioner Hunter asked to be excused from the vote due to a conflict of interest.

The Board voted 4-0.

Solid Waste- fees

***Commissioner Myers made the motion to leave the tipping fees as is and review them again in June. Commissioner Evans seconded. The Board voted 5-0.**

Chairman Davis read a thank you card from Mayor Lindbergh Swaim.

Mr. Wood presented accomplishment plaques to Commissioners Davis, Myers and Hunter. Mr. Wood thanked them for their efforts, leadership and dedication to serving the citizens of Yadkin County.

Chairman Davis, Commissioner Hunter and Commissioner Myers thanked the citizens for allowing them to serve. They have always tried to make the best decisions for the county. They commented that it is hard to please all the people all the time but they had tried to please the majority. They wished the new board great success and commented that if there was anything they could do to assist the new board, please contact them anytime.

Commissioner Swaim thanked Commissioners Myers, Davis and Hunter for serving, their friendship and for the respect they had for each other.

Commissioner Evans stated it has been a pleasure to serve with Commissioner Myers, Davis and Hunter. He respected them and appreciated the fact that they could disagree and still part friends. He thanked them for their time and efforts given to the county.

Attorney Graham stated Commissioners Myers, Davis and Hunter have done what is in the best interest of the county. Attorney Graham stated this is a thankless position that requires a lot of time and efforts.

Mr. Wayne Dixon, Clerk of Court, administered the oath of office to Commissioners Wooten, Sneed and Phillips.

Reorganization- commissioners

Attorney Graham resided over the meeting until the chairman and vice chairman was elected.

Commissioner Evans nominated Commissioner Swaim as Chairman.

***Commissioner Phillips made the motion to close the nominations and name Commissioner Swaim the Chairman. Commissioner Wooten seconded. The Board voted 4-0. Commissioner Swaim abstained; vote counted 5-0.**

Commissioner Phillips nominated Commissioner Evans as Vice Chairman.

***Commissioner Sneed made the motion to close the nominations and name Commissioner Evans the Vice Chairman. Commissioner Swaim seconded. The Board voted 5-0.**

Chairman Swaim thanked the Board for their confidence in him.

Chairman Swaim asked the students from the history classes if they had any questions? There were none.

Public comments

Grady Draughn, Yadkinville, commented to the Board that his freedoms and dreams as a property owner are being taken away due to the 5-D Project.

Yancy St. John, Swan Creek, asked if Commissioner Phillips is the first woman commissioner?

Commissioner Phillips responded that Libby Preston was the first woman.

Mr. St. John discussed the resolution that the Board had prepared regarding the exit ramp for Swan Creek Road. He would like the Board to send another letter with more supportive words. He requested to be on the agenda for December 20th. He discussed the road signs for Windsor Road and asked who is in charge of the road signs for the county?

Mr. Wood stated the county is in charge of road signs for the county.

Peggy Boose, Boonville, commented this is a new beginning for Yadkin County. She stated that the citizens of the county have been burdened with three tax increases and have been limited on time to address the Board during public comments. She also spoke about the 5-D Project and the Courtney waterline project. She spoke in favor of allowing the employees to speak their opinions without jeopardizing their jobs and to have merit increases instead of “across-the-board” increases. She commented the Board should honor all the people in the county.

Dianne Doub, East Bend, stated this is a new day with a new board. She stated she is confident the Board will make the best decisions for the citizens. She congratulated the new board.

Schools- loan

Andrew Mackie, Yadkin County Association of Educators, congratulated the new Board. He presented the Board petitions that were circulated in support of the construction project for the high schools. He expressed to the Board how important this project is for our students and county.

Economic Development- update

Mr. Todd gave a report/update on the economic activities in the county. He informed the Board that unemployment is down; only 647 people are unemployed in the county.

Closed Session

***Commissioner Phillips made the motion to go in closed session per G.S. 143-318.11(a)(4), location or expansion of industries or other businesses. Commissioner Evans seconded. The Board voted 5-0.**

***Commissioner Evans made the motion to come out of closed session. Commissioner Sneed seconded. The Board voted 5-0.**

Information Services- budget amendment

Description	Account Number	Original Budget	Increase/(Decrease)	Amend
Revenue			\$2,000	\$2,000
Contracted DP Services	4210-3910	\$6,000	\$2,000	\$8,000

A check for \$2,000 was received from NC State University to pay for fiber optic cable to connect the AG office to the county network. This is a budget amendment to add the money to the IS budget.

***Commissioner Evans made the motion to approve the budget amendment. Commissioner Wooten seconded. The Board voted 5-0.**

Elder Affairs-budget amendment

Description	Account Number	Original Budget	Increase/(Decrease)	Amend
Salaries & Wages	10-5810-1200	\$3,000	\$899	\$3,899
FICA Expense	10-5810-1810	\$844	\$69	\$913
Human Service Grant- Elder Affairs	10-3315-3312	\$5,000	\$968	\$5,968

***Commissioner Phillips made the motion to approve the budget amendment. Commissioner Evans seconded. The Board voted 5-0.**

NCACC- commissioners

Commissioners Swaim, Evans, Phillips, and Sneed will attend the NCACC.

***Commissioner Phillips made the motion to appoint Chairman Swaim as the voting delegate for the NCACC. Commissioner Evans seconded. The Board voted 5-0.**

Commissioners- board appointments

Chairman Swaim- Mental Health Board, Economic Development Board, Smart Start, YVEDDI, Region I Advisory Board

Commissioner Sneed- Economic Development Board, Communication E-911, Pilot View RC&D, EMS Advisory Board, Surry Housing Authority

Commissioner Wooten- Communication E-911, Pre-Trial Release, Watershed Review Board, Health Board, JCPC Advisory Board

Commissioner Phillips- YVEDDI, Library Board (region & county), Watershed Review Board, Workforce Development Board, Piedmont Council of Government, Recreation Advisory

Commissioner Evans- Social Services Board, Council on Aging, Group Home Advisory Board, Child Fatality Prevention and Community Protective Team, Yadkin River Commission, Piedmont Triad Partnership

Commissioner comments

Commissioner Evans stated the recycling site at Cutters needs gravel.

Commissioner Evans inquired about delinquent taxes.

Attorney Graham stated his office turned in \$50,000 last Tuesday.

Chairman Swaim indicated to the Board that they might want to consider a work session following the regular meeting.

***Commissioner Wooten made the motion to freeze the budget for major expenditures until the Board can review current revenues. Motion withdrawn.**

Commissioner Phillips stated it is an honor to be a commissioner. She commented on the motion made by Commissioner Wooten. Commissioner Phillips stated she would like to wait on any action concerning the construction project for the schools until after the LGC meets. She stated she would perform the duties of the position of commissioner to the best of her ability.

Chairman Swaim inquired about King James Church.

Commissioner Sneed stated that three Commissioners cannot overrule the majority of the citizens of the county by placing the burden of the loan on them. He stated a \$20 million

bond was recently voted down. He also stated borrowing \$6 million will not fix all the problems at the schools. Commissioner Sneed stated the Board of Education did not want the \$6 million back in June when it was initially offered. He is supportive of the schools and is well aware of their needs. He suggested building two new high schools and move grades 6-7-8 into the old high schools.

***Commissioner Sneed made the motion to send notice to the LGC to rescind the loan application. Commissioner Wooten seconded.**

Commissioner Phillips stated she would like for the Board to wait until after the LGC's decision before the Board takes any action.

Commissioner Wooten stated the citizens of the county should vote on large debts.

Commissioner Evans inquired he had a legal question to ask Attorney Graham and he would like to wait until he has the opportunity to speak to Attorney Graham. (Attorney Graham had to leave the meeting, but would return after lunch).

It was the consensus of the Board to wait on the vote until Attorney Graham returns.

Manager comments

Mr. Wood reminded the Board of the dates for new commissioner school; December 14th – 17th.

Mr. Wood informed the Board of a citizen's request for a refund for a permit that was valid from October 2003-April 2004.

Chairman Swaim suggested the Planning Board set up a policy addressing this issue and bring it before the Board for approval.

***Commissioner Sneed made the motion to recess the meeting until 1:00. Commissioner Evans seconded. The Board voted 5-0.**

Chairman Swaim called the meeting back to order.

Schools

Commissioner Evans asked Attorney Graham if the Board could legally stop the application?

Attorney Graham stated yes.

Commissioner Phillips asked if the Board of Education could sue the County for rescinding the application?

Attorney Graham stated no.

Commissioner Wooten asked who is responsible for expenses incurred in applying for the loan?

Attorney Graham stated who ever authorized the actions.

The Board discussed the previous bond referendum.

Commissioner Phillips stated the \$6 million is not the perfect answer but it helps the problems at the schools. The bond was for two new middle schools. This loan will help with the science and technology labs at the high schools. These facilities would be completed by next fall. She recommended the Board wait until the LGC meets.

The Board voted 4-1. Commissioner Phillips opposed.

Work Session **Hoots Hospital**

Mr. Wood informed the Board of the history of Hoots Hospital. He informed the new Board members that Commissioner Evans and himself have been meeting with Baptist officials concerning the lease of Hoots Hospital. He informed the Board that ER care is very important to the county and our EMS. He stated a Yadkin Health Alliance has been formed which will have representation from the County, Baptist and Forsyth Hospitals to make decisions on health related issues. The Board will need to choose representatives to serve on this committee.

***Commissioner Phillips made the motion to appoint Commissioner Evans and Mr. Wood to serve on the Yadkin Health Alliance. Commissioner Wooten seconded. The Board voted 5-0.**

5-D Project

Mr. Wood informed the Board that the county had entered into a contract with the state and federal officials to design and fund the 5-D project (1/3 state, 1/3 federal, 1/3 county). There are 42 property owners affected by the project. The normal pool area will be 135 acres. The previous Boards decided to purchase all the property affected by the project. The county has purchased all the properties except for one parcel, which is scheduled to go to court in February. The next phase will be clearing the site, but we are waiting on the federal officials to inform us of the amount of money available for the clearing. Mr. Wood discussed the 404 Permit.

Commissioner Wooten asked how does this project benefit the citizens of the county?

Mr. Wood stated the project would provide flood control, water supply and recreation.

Commissioner Phillips asked if an easement could be purchased from the last property owner?

Mr. Wood stated the previous Boards decided to purchase all properties.

Commissioner Phillips inquired about a water/utilities commission.

Mr. Wood stated there have been meetings in the past concerning water/utilities but there was not much interest.

Commissioner Wooten asked how much has been spent to date on the 5-D Project?

Mr. Wood stated \$500,000- \$600,000 for the design and approximately \$1.5 million on property.

Chairman Swaim called for a break.

Mr. Wood reviewed the I-77/Hwy 421 water/sewer project. The cost of this project is approximately \$5.5 million. There is no state money available at this time.

Mr. Wood informed the Board about the EDA grant. The application has been submitted. This grant will help with the Hwy 601 water/sewer project. There have been preliminary water designs done for Boonville, Brooks Crossroads, and Courtney Crossing, which will eventually be joined as a big loop for the county.

***Commissioner Wooten made the motion to freeze all hiring until the staffing needs of the county can be reviewed. Commissioner Sneed seconded.**

Sheriff Cain stated he cannot work like that- he has to keep his positions filled.

Mr. Wood informed the Board that the following departments would not be affected by the freeze: EMS, Health Department, Register of Deeds, DSS and Sheriff.

The Board voted 4-1. Commissioner Phillips opposed.

Commissioner Wooten stated he received a phone call from a fire chief regarding communication problems.

Mr. Wood stated he was not aware of any problems in that area. There have been areas with some communication issues. The county has contacted the FCC.

Commissioner Wooten inquired about the leases for the communication towers.

Mr. Wood stated he would check on the leases.

It was the consensus of the Board to meet Tuesday at 4:00 for another work session.

***Commissioner Wooten presented an amendment to the travel policy for the commissioners and county manager in the form of a motion. The amendment will be added to the travel section of the personnel policy. Commissioner Phillips seconded. The Board voted 5-0.**

Recess

***Commissioner Wooten made the motion to recess the meeting until 4:00 Tuesday, December 7th. Commissioners Phillips and Sneed seconded. The Board voted 5-0.**

Melinda Vestal, Clerk to the Board